



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2797

Introduced 1/30/2014, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

230 ILCS 40/5
230 ILCS 40/59 new

Amends the Video Gaming Act. Defines "Video Gaming Board Exclusion List". Provides that the Gaming Board shall have authority to establish and place persons on the Video Gaming Board Exclusion List. Establishes the grounds for which the Board may place a person on the Exclusion List, and that persons on the Exclusion List shall be prohibited from licensure under the Act and from engaging in any activities, agreements, or transactions authorized under the Act. Provides that the Board may place a person on the Exclusion List when that person has been found to be in violation of the Act by a final administrative decision of the Board or by a final decision of a court. Further provides that the Board may place a person on the Exclusion List when that person's conduct or reputation is such that his or her licensure under the Act or engagement in activities, agreements, or transactions authorized by the Act may, in the opinion of the Board, call into question the honesty and integrity of video gaming operations or interfere with the orderly conduct of such operations. Provides that the placement of a person on the Exclusion List shall be subject to subsequent hearing by the Board. Effective immediately.

LRB098 18442 ZMM 53579 b

1 AN ACT concerning gaming.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Video Gaming Act is amended by changing
5 Section 5 and by adding Section 59 as follows:

6 (230 ILCS 40/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Board" means the Illinois Gaming Board.

9 "Credit" means one, 5, 10, or 25 cents either won or
10 purchased by a player.

11 "Distributor" means an individual, partnership,
12 corporation, or limited liability company licensed under this
13 Act to buy, sell, lease, or distribute video gaming terminals
14 or major components or parts of video gaming terminals to or
15 from terminal operators.

16 "Electronic card" means a card purchased from a licensed
17 establishment, licensed fraternal establishment, licensed
18 veterans establishment, or licensed truck stop establishment
19 for use in that establishment as a substitute for cash in the
20 conduct of gaming on a video gaming terminal.

21 "Electronic voucher" means a voucher printed by an
22 electronic video game machine that is redeemable in the
23 licensed establishment for which it was issued.

1 "Terminal operator" means an individual, partnership,
2 corporation, or limited liability company that is licensed
3 under this Act and that owns, services, and maintains video
4 gaming terminals for placement in licensed establishments,
5 licensed truck stop establishments, licensed fraternal
6 establishments, or licensed veterans establishments.

7 "Licensed technician" means an individual who is licensed
8 under this Act to repair, service, and maintain video gaming
9 terminals.

10 "Licensed terminal handler" means a person, including but
11 not limited to an employee or independent contractor working
12 for a manufacturer, distributor, supplier, technician, or
13 terminal operator, who is licensed under this Act to possess or
14 control a video gaming terminal or to have access to the inner
15 workings of a video gaming terminal. A licensed terminal
16 handler does not include an individual, partnership,
17 corporation, or limited liability company defined as a
18 manufacturer, distributor, supplier, technician, or terminal
19 operator under this Act.

20 "Manufacturer" means an individual, partnership,
21 corporation, or limited liability company that is licensed
22 under this Act and that manufactures or assembles video gaming
23 terminals.

24 "Supplier" means an individual, partnership, corporation,
25 or limited liability company that is licensed under this Act to
26 supply major components or parts to video gaming terminals to

1 licensed terminal operators.

2 "Net terminal income" means money put into a video gaming
3 terminal minus credits paid out to players.

4 "Video gaming terminal" means any electronic video game
5 machine that, upon insertion of cash, electronic cards or
6 vouchers, or any combination thereof, ~~electronic voucher, or~~
7 ~~any combination thereof,~~ is available to play or simulate the
8 play of a video game, including but not limited to video poker,
9 line up, and blackjack, as authorized by the Board utilizing a
10 video display and microprocessors in which the player may
11 receive free games or credits that can be redeemed for cash.
12 The term does not include a machine that directly dispenses
13 coins, cash, or tokens or is for amusement purposes only.

14 "Licensed establishment" means any licensed retail
15 establishment where alcoholic liquor is drawn, poured, mixed,
16 or otherwise served for consumption on the premises, whether
17 the establishment operates on a nonprofit or for-profit basis.

18 "Licensed establishment" includes any such establishment that
19 has a contractual relationship with an inter-track wagering
20 location licensee licensed under the Illinois Horse Racing Act
21 of 1975, provided any contractual relationship shall not
22 include any transfer or offer of revenue from the operation of
23 video gaming under this Act to any licensee licensed under the
24 Illinois Horse Racing Act of 1975. Provided, however, that the
25 licensed establishment that has such a contractual
26 relationship with an inter-track wagering location licensee

1 may not, itself, be (i) an inter-track wagering location
2 licensee, (ii) the corporate parent or subsidiary of any
3 licensee licensed under the Illinois Horse Racing Act of 1975,
4 or (iii) the corporate subsidiary of a corporation that is also
5 the corporate parent or subsidiary of any licensee licensed
6 under the Illinois Horse Racing Act of 1975. "Licensed
7 establishment" does not include a facility operated by an
8 organization licensee, an inter-track wagering licensee, or an
9 inter-track wagering location licensee licensed under the
10 Illinois Horse Racing Act of 1975 or a riverboat licensed under
11 the Riverboat Gambling Act, except as provided in this
12 paragraph. The changes made to this definition by Public Act
13 98-587 ~~this amendatory Act of the 98th General Assembly~~ are
14 declarative of existing law.

15 "Licensed fraternal establishment" means the location
16 where a qualified fraternal organization that derives its
17 charter from a national fraternal organization regularly
18 meets.

19 "Licensed veterans establishment" means the location where
20 a qualified veterans organization that derives its charter from
21 a national veterans organization regularly meets.

22 "Licensed truck stop establishment" means a facility (i)
23 that is at least a 3-acre facility with a convenience store,
24 (ii) with separate diesel islands for fueling commercial motor
25 vehicles, (iii) that sells at retail more than 10,000 gallons
26 of diesel or biodiesel fuel per month, and (iv) with parking

1 spaces for commercial motor vehicles. "Commercial motor
2 vehicles" has the same meaning as defined in Section 18b-101 of
3 the Illinois Vehicle Code. The requirement of item (iii) of
4 this paragraph may be met by showing that estimated future
5 sales or past sales average at least 10,000 gallons per month.

6 "Video Gaming Board Exclusion List" or "Exclusion List"
7 means a publicly available list of persons compiled and
8 maintained by the Board pursuant to Section 59 of this Act and
9 procedures established by Board rule.

10 (Source: P.A. 97-333, eff. 8-12-11; 98-31, eff. 6-24-13;
11 98-582, eff. 8-27-13; 98-587, eff. 8-27-13; revised 9-19-13.)

12 (230 ILCS 40/59 new)

13 Sec. 59. Video Gaming Board Exclusion List.

14 (a) The Board shall have authority to establish a Video
15 Gaming Board Exclusion List. Persons on the Exclusion List
16 shall be prohibited from licensure under this Act and from
17 engaging in any activities, agreements, or transactions
18 authorized by this Act, the rules adopted under this Act, or a
19 final order of the Board.

20 (b) The Board may place a person on the Video Gaming Board
21 Exclusion List for reasons that include, but are not limited
22 to, the following:

23 (i) the person has been found to be in violation of
24 this Act or any rules adopted under this Act by a final
25 administrative decision of the Board for which review is

1 barred under the Administrative Review Law or a final
2 decision, order, or judgment of a court; or

3 (ii) the person's conduct or reputation is such that
4 his or her licensure under this Act or engagement in
5 activities, agreements, or transactions authorized by this
6 Act may, in the opinion of the Board, call into question
7 the honesty and integrity of video gaming operations or
8 interfere with the orderly conduct of such operations.

9 (c) The placement of a person on the Video Gaming Board
10 Exclusion List shall be subject to subsequent hearing by the
11 Board.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.